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Convention on the Rights of the Child

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Committee on the Rights of the Child
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Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined fifth and sixth periodic reports of Seychelles

Addendum

Replies of Seychelles to the list of issues*

[Date received: 10 January 2018]

* The present document is being issued without formal editing.

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Please recycle

Part I

1. **Please provide information on the lack of a new comprehensive plan of action to succeed the National Plan of Action for Children (2005–2009) following its evaluation in 2012. Please inform the Committee about the implementation and evaluation of the Social Renaissance National Action Plan (2011–2016) on strengthening the family, the National Action Plan for Early Childhood Care and Education for 2013–2014 and 2015–2016 and beyond, the Education Sector Medium-Term Strategy 2013–2017 and the national Inclusive Education Policy and related action plan.**

Social Renaissance National Action Plan

1. The National Plan of Action for Children (2005–2009) was replaced by the Social Renaissance National Action Plan (2011–2016) a much broader road map. The plan's focus was on establishing a strong foundation where children have every opportunity to grow up fully equipped to deal with the challenges of a rapidly changing world. The plan had the following 6 objectives:

- To uphold the family as the central unit of society;
- To empower our communities to be participants in development;
- To promote positive living values and the adoption of a healthy lifestyle;
- To encourage higher levels of personal, professional, civic and corporate responsibility;
- To safeguard our homes and communities;
- To protect the health, safety and quality of life of all Seychellois.

2. The plan was composed of 3 levels of interventions:

- Prevention measures aimed at educating and sensitizing the population;
- Measures targeting at-risk groups;
- Measures for victims.

Summary of Evaluation

3. The 5-year implementation of the SR National Plan of Action has been characterised by a mixture of sensitisation initiatives, formulation of new national policies and introduction of new programmes and services aimed at addressing the myriad problems identified in 2011.

The National Action Plan for Early Childhood Care and Education for 2013–2014 and 2015–2016

4. A new plan has been developed to follow these plan — The National Action Plan on ECCE 2017–2018.

5. The National Action plan 2017–2018 is modelled on the last plan with lessons learnt from previous plans whilst taking into consideration new international developments in ECCE. This plan focuses on three dominant issues. First of all, emphasis is placed on early stimulation which encompasses programme development and standard-setting processes. Secondly, attention is given to vulnerable children, with health, special needs and social and emotional challenges. Finally, the Diagnostic Monitoring approach adopted by IECD remains the cornerstone of the Action Plan.

The Education Sector Medium-Term Strategy 2013–2017

6. This strategy is currently in its final stage of implementation. The development of that strategy was financially supported by the European Union and the organisation will be

evaluating the plan at its end. Work has already begun to develop the next Medium Term Strategic Plan: 2018–2022 (Focus).

The National Inclusive Education Policy

7. The focus for the time being since the coming into force of the policy has been on providing training on inclusive education and ensuring that new schools are built according to universal design.

2. Please provide updated information on progress made in developing the data collection and management system regarding children, including training offered to social workers on its use.

8. The data collection and management system for the Social Affairs Department has had some setbacks and is still under development. It is expected that it should be operational during next year.

9. Reliable data continues to be a challenge which the country is trying to address through different strategies including the National Human Rights Action Plan.

3. Please inform the Committee about measures taken in the tourism and fisheries sectors to protect the rights of children, such as codes of conduct.

10. No measures have been taken by the tourism and fisheries sectors however the Ministry of Employment undertakes inspections in different work environment to monitor the implementation of employment laws.

4. Please inform the Committee about the effective implementation of the principle of the best interests of the child, particularly in administrative and family matters, and to what extent children's views are taken into account.

11. Children's best interest is the primary consideration in all decisions by Social Services which include a child including in developing care plans for clients. In compiling reports to the Family Tribunal in relation to access and custody of children the child's views (where the child is capable of discernment) is always sought and included in the report. Social Workers support the child to be able to give their views in chamber at the Family.

12. The Pastoral Care System for primary and secondary schools emphasises the holistic development of children and that the child should be placed at the centre of all school development initiatives. One of the structures that schools should have under the Pastoral care System is the Student Forum which gives students the opportunity to voice their concerns and participate in decision making.

13. The Education (Amendment) Act 2017 provides for the setting up of a National Student Council and its affiliated associations through regulations to ensure children's views and interests remain paramount.

5. Please provide further detailed information on all measures taken to eradicate corporal punishment and the so-called "reasonable chastisement" of children in the family environment, in schools, in alternative care settings and in penal institutions and provide an update on related legislative amendments to the Children Act and the Education Act that were envisaged for 2016.

14. The Cabinet of Ministers approved proposals to prohibit corporal punishment in schools. Consequentially, the following provision of 'Education (Amendment) Bill' 2017 has been passed by the National Assembly on 19th December 2017 and reads as follows:

> 68 (3) "A teacher or headteacher or a person employed, whether on a part-time or full-time basis by a school shall not administer corporal punishment as a disciplinary measure".

15. The Social Affairs department continues to push to remove corporal punishment from the Children Act and prohibit it in all settings.

16. Considerable discussion has taken place between the Attorney General's office and the Social Affairs department on this issue and discussions have been set for early next year with the new Attorney General. The delay is partly caused by the changes that have taken place in the office of the Attorney General with the post being vacant for a while.

6. **Please update the Committee on any research carried out on the commercial sexual exploitation of children, including child sex tourism, and the results obtained. Please also clarify whether, and when, a single national helpline that was available around the clock had been established and provide statistics on the number of referrals recorded.**

17. In 2015, the National AIDS Council (NAC) undertook a survey commissioned a survey by SADC entitled the Female Sex Workers Integrated Biological and Behavioural Survey. The study has being conducted to better understand the prevalence of HIV in Seychelles and to identify drivers of the epidemic for policy formulation and programmatic actions developments and adjustments, in line with the National Strategic Plan for the Prevention and Control of HIV and AIDS and STIs in Seychelles 2012–2016.

18. The survey participants were sampled with a methodology known as respondent driven sampling (RDS). This method is widely used for reaching hard to reach populations that are stigmatized or considered at high risk for HIV and sexually transmitted infections (STI's). Seychellois women and girls aged 15 years and above who had exchanged sex for money in the past six months preceding the survey and who lived, worked or socialized in Seychelles were eligible to participate. In total 156 eligible FSWs were recruited to participate in the survey.

19. Findings showed that most of the FSWs were relatively young (around 24 years), with one or two children and having left school during the secondary education years (47.4%).

20. Recommendations included better informed service delivery, including a drop-in centre for FSWs and engagement of NGOs in helping to deliver targeted services such as goods, products, counselling and health services. Alternative skills training programmes were also suggested for those FSWs who may wish to stop working as such and seek other employment.

7. **Please specify progress made in the State party's review of its policies on alternative care for children deprived of a family environment and provide information on measures to increase the number of foster parents and the status of the ratification of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and its incorporation into domestic legislation.**

Alternative care for children deprived of a family environment

21. The Country continues to have one state owned Children's home. The other homes are owned by the Catholic Church. Alternative care is used as a last result. Cases of children placed in homes on a care order are periodically reviewed by the case worker and in a lot of cases also by the Family Tribunal.

22. In its effort to improve the care and support of children, the state owned home the service of a Counsellor has been secured. The homes work closely with Social Services and the Director of Social Services holds periodic meetings with the management of these homes to address challenges and strengthen collaboration.

23. There is still a lack of alternative residential institution for children who have behavioural problems and are beyond the control of their parents. Some of these children are sometimes placed in the homes but evidence has shown that these homes are not catered to assist such children and they do not get the full support they need for rehabilitation and integration back into society. Funds have been secured in the 2018 national budget to build such a setting to cater for children who fall in this category in the meantime a temporary option is being sought to respond to current needs.

Foster parents

24. In 2015 the Social Services held a media campaign to attract interested persons to register as foster parents.

25. From November 2016 to May 2017 there were 9 foster parents. From May 2017 to date there are 8 foster parents.

Convention on Protection of Children and Cooperation In respect of Inter country Adoption

26. The Seychelles has ratified this Convention. The Social Services is recognised as the Central Authority by contracting states and applies the Convention in its work with inter country adoption. However, procedures are still underway for full domestic ation.

8. Please inform the Committee about the impact of the measures taken to combat alcohol abuse and drug use among children and the results of sexual and reproductive health education programmes, as well as about the prevalence of suicide among children.

Measures taken to combat alcohol abuse and drug use among children includes:

- Seychelles National Alcohol Policy in place since 2015 which provides the framework for advertising of alcohol;
- Setting up of prevention of Drug Abuse & Rehabilitation Agency through the Drug Abuse & Rehabilitation Agency Act 2017 to ensure better coordination and intervention programmes;
- Sensitization workshop on professional universal prevention curriculum which provides professionals with skills on prevention science when it comes to substance abuse;
- Day to day sessions in schools to provide counselling and health education activities;
- The NGO Campaign of Awareness Resilience Education against drug abuse continues to provide school program on substance abuse and sensitises children of the danger of drug and alcohol abuse through the CARE clubs;
- There is a good referral system in place to assist schools and referrals can be made to different focal point at social services and the health agency;
- Youth health centres provides the following services; Counseling, screening, family planning, reproductive health education with students, and outreached activities.

Suicide among children

	Age & Sex			
	10-14		*15-19*	
Description	*M*	*F*	*M*	*F*
Intentional self-poisoning by and exposure to nonopioid analgesics, antipyretics and antirheumatics	0	0	2	6
Intentional self-poisoning by and exposure to antiepileptic, sedative-hypnotic, antiparkinsonism and psychotropic drugs, not elsewhere Classified	0	0	0	1
Intentional self-poisoning by and exposure to narcotics and psychodysleptics {hallucinogens}, not elsewhere classified	0	0	0	0
Intentional self-harm by and exposure to other drugs acting on the autonomic nervous system	0	1	0	0
Intentional self-poisoning by and exposure to other and unspecified drugs and medicaments and biological substances	0	0	1	2

	Age & Sex			
	10-14		15-19	
Description	*M*	*F*	*M*	*F*
Intentional self-poisoning by and exposure to alcohol	0	0	0	1
Intentional self-poisoning by and exposure to pesticides	0	0	0	0
Intentional self-poisoning by and exposure to other and unspecified chemicals and noxious substances	0	0	1	2
Intentional self-harm by hanging, strangulation and suffocation	0	0	2	0
Intentional self-harm by drowning and submersion	0	0	0	0
Intentional self-harm by sharp object	0	0	0	0
Intentional self-harm by jumping or lying before moving object	0	0	0	0
All Cases	**0**	**1**	**6**	**12**

(a) International Classification of Diseases (10th Edition)

M = Male, F = Female

9. **Please indicate measures taken or envisaged to address the underrepresentation of girls in the technical and vocational training and education sectors, gender imbalances in the staffing of early childhood educational institutions, related gender insensitivity and the underachievement of boys in school. Please also provide the Committee with information on the 12 strategic policy areas contained in the Inclusive Education Policy.**

27. No specific systemic targeted measure has been taken to address this issue. However, the Ministry has open policy for recruitment of all applicants who meet the requirements. However, the Ministry initiated an Aspiring Teacher Program in collaboration with Seychelles Institute of Teacher Education (SITE) which had a plan of action. The program was launched in 2015 and it targeted students from secondary 3 to secondary 5. Activities included educational talks, orientation visits at SITE, media campaign, job fairs and a brochure. The outcome from this initiative is yet to be measured.

10. **Please update the Committee on further measures taken following the adoption of the Prohibition of Trafficking in Persons Act of 2014 and on their impact on efforts to prevent, combat and punish human trafficking and to ensure that child victims are identified, informed of their rights and referred to the appropriate services. Please indicate whether any bilateral and multilateral agreements have been concluded to prevent the sale, trafficking and abduction of children.**

28. With the adoption of the Prohibition of Trafficking in Persons Act of 2014 a National Coordinating committee was set up chaired by the Social Affairs Department and consisting of representatives from Labour, Immigration and Custom Departments, the police, the Financial Investigation Unit and Civil Society.

29. The Committee was tasked with formulating policies, strategies, guidelines, programmes and other measures relating to:

- Identification and referral of victims of trafficking, and provision of services and protection of presumed/confirmed victims of TiP;
- Standard operating procedures for the referral of victims;
- Capacity building;
- Ensuring coordination amongst government agencies and other organizations engaged in the implementation of the Trafficking in Persons Act by; forming task forces, ensuring the implementation of the National Action Plan.

30. The Committee has developed a number of key tools:

- A Strategic Framework and National Action Plan to Combat Trafficking in Persons;

- A Standard operating procedure manual and referral mechanism.

31. A lot of focus has been placed on sensitisation and capacity building:

- Media Campaign: "Open your eyes to Trafficking in Persons".

32. The campaign is supported by the International Organization on Migration, (IOM). It Showcases in print, television and radio media, as well as through a website and social media and is re-activated on the 30th July each year to commemorate International day against trafficking in person.

33. Several capacity building workshops for front line officers has been organised. These are some that are ongoing currently:

- Development of regulations to allow the Prohibition of Trafficking in Persons Act to become fully operational;
- Activate regional databases in law enforcement Ministries.

11. Please update the Committee on the progress made to include in the Employment Act a list of hazardous work prohibited for children under 18 years and indicate the measures taken to determine occupations or activities prohibited for children under 15 years of age. Please also inform the Committee on the measures taken to increase the effectiveness of child labour monitoring.

34. A list of hazardous work, which by their nature or the circumstances which they are carried out are likely to jeopardise the health, safety or morals of young persons, has been developed, prohibiting the employment of children under 18. The amendments to the Employment Bill are at drafting stage and expected to go to the National Assembly in the 1st Quarter of 2018 for possible enactment, if approved, by the 3rd Quarter 2018.

35. The Labour Monitoring and Compliance section/inspectorate section conducts inspection in workplace establishment whenever there's request for the employment of minor. After visits are conducted recommendations are made for the consideration/approval for employment of minor.

12. Please update the Committee on measures taken to bring the administration of juvenile justice into line with the Convention. Please inform the Committee about the age of criminal responsibility and provide information on the separation of children from adult detainees and their treatment in compliance with international standards.

Part II

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report (CRC/C/SYC/5-6) with regard to:

(a) New bills or laws, and their respective regulations, including those mentioned in the State party's report in so far as they relate to the implementation of the Convention, including the Civil Status Act in relation to the minimum age for marriage;

36. The review of the Civil Status Act is still ongoing. The delay is due to the Act being reviewed in its totality.

(b) New institutions (and their mandates) or institutional reforms;

37. The Prevention of Drug and Rehabilitation Agency Act established through the Prevention of Drug and rehabilitation Agency Act.

(c) Recently introduced policies, programmes and action plans and their scope and financing;

Family Policy

38. The National Policy sets out the vision, goals and objectives of Government to address the changes that have occurred over the last few decades in family and household structures in Seychelles as well as the shift in attitude towards marriage, cohabitation, single parenthood and divorce. It recognizes the diversity of 'family' groupings and the importance of a pragmatic and modern approach to respond to the actual family experiences and needs.

(d) Recent ratifications of human rights instruments.

Part III
Data, statistics and other information, if available

14. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources, on concrete measures taken to strengthen the National Human Rights Commission, including the availability of financial and technical assistance in this regard, and on relevant results obtained from and the experience of programme-based budgeting since its implementation.

National Human Rights Commission

39. At present, the 'Protection of Human Rights Act, 2009' makes provisions for the appointment of the Chairperson and members of the National Human Rights Commission to be appointed by the President of Seychelles in consultation with the Chief Justice and the Speaker of the National Assembly.

40. A review of the legislations and policies overseeing the National Human Rights Institutions in Seychelles — namely the National Human Rights Commission and the Office of the Ombudsman — is currently ongoing. This is in view of strengthening the institutions to be able to fully fulfill their mandates whilst being in line with the Paris Principles.

15. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

(a) Children living with and/or affected by HIV/AIDS and other sexually transmitted diseases;

41. Up to December 2016 the Ministry of Health had recorded only 6 HIV cases (4 females 2 males) in the age range of 0–18.

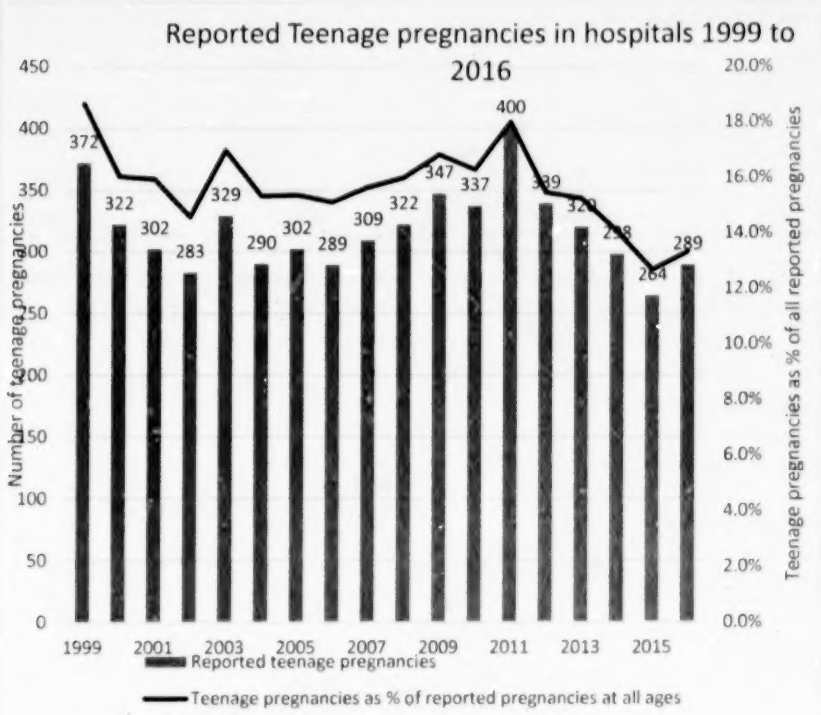
(b) Teenage pregnancies and abortions;

Year	*Teenage girls population (12–19 years)*	*Reported Teenage Abortions*	*Registered Teenage livebirths*	*Registered Teenage livebirths - stillbirths*	*Reported teenage pregnancies*	*Reported teenage fecundity rate*	*Reported teenage fertility rate*	*Percentage of reported teenage abortions among reported teenage pregnancies*	*Reported pregnancies at all ages*	*Teenage pregnancies as % of reported pregnancies at all ages*
	A	**B**	**C**	**D**	**E(B+D)**	**F((E/A) *100)**	**G((C/A) *100)**	**H((B/E)*100**	**I**	**J((E/I)*100)**
2014	4 555	110	188	188	298	6.5%	4.1%	36.9%	2120	14.1%
2015	4 497	70	192	194	264	5.9%	4.3%	26.5%	2084	12.7%
2016	4 150	78	209	211	289	7.0%	5.0%	27.0%	2170	13.3%

Source: Epidemiology and Statistics Section — Health Department

Notes:

A	Estimated midyear population aged 12–19 years
B	All teenage abortions reported in hospitals
C	All teenagers live births registered at the civil status offices
D	All teenagers live births and babies born dead registered at the civil status offices
E	Reported teen age abortions + live births + still births
F	Percentage of teenagers who were pregnant
G	Percentage of teenagers who deliver a live birth
H	Percentage of reported teenage abortions among reported teenage pregnancies
I	Reported abortions + live births + still births at all ages
J	Reported teen age abortions + live births + still births as a percentage of Reported abortions + live births + still births at all ages



(c) Drug and alcohol abuse by children;

42. Information not available

(d) Children dropping out of school and the ratio of children who have benefited from phase one of the Ministry of Education's Technical Vocational Education and Training programme, introduced in 2011.

TVET Proportion Who Benefitted After The Completion of the Two Year Programme As Per S5 Population Figures

Year	*Male*	*Female*	*Total*
2014	15%	5%	20%
2015	15%	4%	19%
2016	16%	4%	20%

Source: EMIS 2017.

Students (S1–S5) dropping out of school

	Year		
	2016	*2015*	*2014*
Male	79	44	75
Female	40	31	38
Total	**119**	**75**	**113**

Source: EMIS 2017.

16. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

(a) Living in institutions;

- Foyer de Nazareth: 12;
- President's village: 29;
- Ste Elizabeth Convent: 14.

(b) Placed in foster care;

43. There are currently 9 children in the formal foster care programme.

(c) Living in adoptive families;

Adoption completed in Court	
2012	10
2013	2
2014	8
2015	8
2016	10

(d) Abandoned by their families.

17. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

44. We do not have any children with disabilities living in institutions.

(c) Attending regular primary schools;

45. Refer to Annex.

(d) Attending regular secondary schools;

46. Refer to Annex.

(e) Attending special schools;

47. Refer to Annex.

(f) Out of school;

(g) Abandoned by their families.

18. Please provide data, disaggregated by age, sex and type of offence, for the past three years, on the number of children in the juvenile justice system:

(a) In closed institutions;

48. There is no juvenile at present serving a sentence in prison or any other closed institutions.

(b) In pretrial detention;

(c) Serving criminal sentences.

19. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

Offences against children

	2015	*2016*	*2017*
Assaulting a child	44	39	14
Child abuse (not including sexual assault)	1	2	1
Child neglect	25	14	7
Sexual assault of a child	39		16

Source: Seychelles Police.

20. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

Improving the provision education.

Tackling the drug issue.

Annex

Annex 01: Education Data on Children with Disability (2015–2017) Education Data on Children with Disability: 2015

Source: School Division (2017)

			Sex		
Number of Children	*Age*	*No*	*F*	*M*	*Type of disability*
17	4 yrs	1			Autism Spectrum Disorder
	6 yrs	1			
	7 yrs	5			
	8 yrs	2			
	9 yrs	3			
	10 yrs	1			
	11 yrs	3	1		
	14 yrs	1		16	
23	3½ yrs	1			Down Syndrome
	4 yrs	2			
	5 yrs	1			
	7 yrs	7			
	8 yrs	3			
	9 yrs	2			
	10 yrs	4			
	11 yrs	2			
	13 yrs	1	14	9	
19		4			Physical
	4 yrs	2			
	5 yrs	3			
	6 yrs	3			
	7 yrs	2			
	8 yrs	2			
	9 yrs	1			
	11yrs	1			
	12 yrs	1			
	13 yrs		10	9	
9	3½yrs				Visual
	5 yrs	1			
	8 yrs	1			
	9 yrs	1			
	10 yrs	1			
	11 yrs	3			
		2	7	2	
1	8 yrs	1		1	ADHD
51	4 yrs	15			Intellectual
	6 yrs	11			
	7 yrs	2			
	9 yrs	13			
	10 yrs	2			
	11 yrs	2			
	12 yrs	4	21	30	

			Sex		
Number of Children	*Age*	*No.*	*F*	*M*	*Type of disability*
	13 yrs	1			
	15 yrs	1			
5	7 yrs				Cerebral Palsy
	10 yrs	1			
	11 yrs	2			
	12 yrs	1			
		1	2	3	
7	6 yrs	1			Global Developmental Delay
	7 yrs	2			
	10 yrs	1			
	11 yrs	1			
	12 yrs	2	4	3	
2	7 yrs	1			Trisomy 18
	8 yrs	1	2		
1	11 yrs	1	1		Hydrocephalus
1	7 yrs	1			Sotos Syndrome
1	9 yrs		1		Rubenstein-Taybi Syndrome

*= School for the Exceptional Child

Education Data on Children with Disability: 2016

			Sex		
Number of Children	*Age*	*No.*	*F*	*M*	*Type of disability*
9		1			Autism Spectrum Disorder
	3½ yrs	1			
	4yrs	1			
	5 yrs	3			
	6 yrs	2			
	7 yrs	1			
	8 yrs		2	7	
8	3½ yrs	2			Physical
	4 yrs	1			
	13 yrs	3			
	14 yrs	2	2	6	
1	3½ yrs	1			Visual
			1		
1	6 yrs	1	1		Cerebral Palsy
1	7 yrs	1		1	Global Developmental Delay
1	8 yrs	1	1		Congenital Adrenal Hyperplasia
32	4 yrs	10			Intellectual
	5 yrs	1			
	6 yrs	1			
	8 yrs	10			
	10 yrs	9			
	13 yrs	1	16	16	

Education Data on Children with Disability: 2017

Number of Children	*Age*	*No.*	*Sex*		*Type of disability*
			F	*M*	
4	3½ yrs	1			Autism Spectrum Disorder
	4 yrs	2	1		
	5 yrs	1		3	
6	3½ yrs	2			Physical
	4 yrs	1			
	13 yrs	1			
	14 yrs	2		6	
40	4 yrs	12			Intellectual
	7 yrs	18			
	8 yrs	7			
	10 yrs	3	14	26	
3	4 yrs	3	1	2	Cerebral Palsy

Source: Schools Division (2017).